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**London 2012 Olympic Legacy: A Big Sporting Society?**

**Abstract**

*The Olympic Charter asserts that 'the practice of sport is a human right' and outlines role 12 of the International Olympic Committee (IOC) as being 'to encourage and support the development of sport for all'. This signals an aspiration to the right to sport ...for all. Notwithstanding this, the UK Conservative/Liberal Democrat coalition government has consolidated and extended a shift in UK sport policy from 'sport for social good' to 'competitive sport for sports sake.' In December 2010 the government published 'Plans for the Legacy from the 2012 Olympic and Paralympic Games'. The first of four areas of focus is to harness 'the United Kingdom's passion for sport to increase grass roots participation, particularly by young people' and encourage 'the whole population to be more physically active'. This appears to relate to sport for some, and physical activity for others. Nevertheless, the coalition has signalled a belief in 'big society' and democratic not bureaucratic accountability.*

*This paper proposes a theoretical framework of a 'big sporting society' comprising three generations of sporting rights. This enables an evaluation of emergent sport policy in relation to the London 2012 Olympic Games legacy and the Olympic Charter. It is argued that the realisation of the 2012 legacy relating to the IOC's aspiration to sport as a human right...for all, and consequent democratic sporting accountability, necessitates a 'sport for all' rather than 'competitive sport for sports*

*sake' policy direction, and the development of all three generations of sporting rights, resulting in a 'big sporting society'.*

### **Key Words**

Human rights, sport policy, sport development, democracy, big society, Olympic legacy.

## **Introduction**

This paper aims to trace and critique shifts in the stated purpose of sport policy following the awarding of the 2012 Olympic Games to London, and to introduce the concept of a 'big sporting society'. This will be theorised within a conceptual framework of three generations of human rights, involving comprehensive sporting rights and resulting in big sporting democracy. This framework will then be used to evaluate the impact of emergent coalition sport policy on the London 2012 legacy, as that legacy pertains to sport as a human right ...for all.

## **Introduction**

UK sport policy has come full circle since 1995 when the Conservative policy document, Sport, Raising the Game (Department of Natural Heritage 1995), was published. This strategy emphasized competitive team games and volunteering, and ignored the major contribution of local authorities to the national sporting infrastructure. When New Labour came to power in 1997 sport (and physical activity) policy departed radically from the traditional conservative rhetoric of 'sport for sport's sake' and adopted an evidence based instrumental view of 'sport for social good'. This is outlined in a range of policy documentation including: England, the Sporting Nation (English Sports Council 1997); the Sport England (SE) Lottery Fund Strategy 1999-2009, (SE 1999a); The Value of Sport (SE 1999b); and Game Plan (Department for Culture Media and Sport/ Strategy Unit 2002).

However, in 2005 the successful UK bid to host the 2012 Olympic Games in London had a powerful impact on UK sport policy. By 2008, coincidentally or otherwise, the New Labour government had abandoned the 'sport for social good' project and promoted a resurgence of a 'sport for sport's sake' policy stance, but with no definition of sport offered, and minimal justification of its value outlined. Thus, the European Sports Charter's definition of sport as 'all forms of physical activity which, through casual or organised participation, aim at expressing or improving physical fitness and mental well-being, forming social relationships or obtaining results in competition at all levels' (Council of Europe 1992, 2001); which is also the definition adopted by the European Commission (EC) White Paper on Sport (EC 2007); was abandoned, and 'sport' and 'physical activity' redefined as ontologically different .

This shift was exemplified by the Sport England Strategy 2008-2011 which stated that 'with the Olympics and Paralympics due to come to London and the UK a little over four years from now, it is an appropriate time to take a clear look at the sport development system'. The document legitimised the shift in policy direction by claiming 'an unprecedented level of consensus' from 'over 100 stakeholders from across the sport sector'. It argued that, 'the driving force behind the strategy and investment is to address the needs of sports participants across the country' which 'provides a clear distinction with the physical activity agenda being driven by a number of departments, including the Department of Health (DH) and Department of Transport.' The Strategy also flagged up 'a shift in emphasis and role for National Governing Bodies' which were awarded 'greater autonomy over the investment of public funds within their sport' via 'Whole-Sport Plans' (SE 2008). The document also demonstrated the full scale adoption of 'governmentalisation', 'modernisation',

governance by new public management, and new managerialism (Green 2009, Grix 2009, Houlihan 2009, Lindsay 2009) which could be considered as bureaucratic executive democracy.

The New Labour plans for the London 2012 legacy were based on five 'promises' the first of which related to sport and was 'to make the UK a world-leading sporting nation'. This included 'offering all 5 to 16 year-olds in England five hours of high-quality sport a week and all 16 to 19 year-olds three hours a week by 2012', and 'getting people more active' by helping 'at least two million more people in England be more active by 2012' (DCMS 2007, 2008).

This government regarded local authorities as a 'key delivery partner' (SE 2008) and considered that 'many of the (legacy) benefits will come from enhancing existing programmes, and within existing Departmental budgets.' It was also clear that direct legacy funding for the Legacy Trust UK, at £40 million 'from existing sources' and not just for sport projects, was relatively small scale; that the Inspire programme was a branding rather than funding project; and that most of the legacy funding would be provided via the sporting infrastructure already in existence. This acknowledged that local government investment in sport in the UK (including school sport but excluding DH spending on physical activity) was estimated at around £1.8 billion per annum, of the estimated total government expenditure on sport of £2.2 billion in 1999/2000. This included exchequer and lottery funding in addition to local government funding but excluded the £9.4 billion committed to the 2012 Olympics (Bell 2009). The Local Government Association (LGA) agreed, claiming that 'councils spend five times as much on sport as the government does' (LGA 2010). Thus the local authority financial contribution to sport far outstrips that from both national government and

the lottery. The LGA claims that 'the government's own research shows that if councils and their partners meet their ... targets they will have increased participation in sport by 950,000 and increased the numbers of the physically active by 350,000 - putting us well on the way to achieving government's flagship sports legacy target of 2 million people more active by 2012/13'.

The Conservative/Liberal Democrat coalition government, which came to power in May 2010, has protected the funding for the London 2012 Olympic Games and consolidated and extended a '*competitive* sport for sports sake' policy direction. This carries an implicit justification of *competitive* sport as an obvious good, as outlined by the Culture Secretary who stated in June 2010 that 'for this government, competitive sport really matters...in its own right' and that 'competition addresses a basic human desire to stretch ourselves to the limit of our potential' (Hunt 2010a). Nevertheless, the Minister for Sport and the Olympics, has stated that 'I want to see London 2012 leave a lasting legacy of mass participation in sport. It is my vision that the Games will inspire a whole new generation of young people to take up sport and keep it up for life' but that 'we have taken an important step forward by announcing plans to set up an Olympic and Paralympic-style sports competition for UK-wide schools. Through this annual event, every child in every school in the country will have the chance to take part in competitive sport' (Robertson 2010). This then emphasizes that for the coalition; sport, the Olympic legacy, and even mass participation in sport, relate primarily to competitive sport for sport's sake.

This echoes pre-election statements made in both the Conservative Sport Manifesto, which stated, 'we will...raise the profile of competitive sport in schools' and 'encourage a culture of school sport competition by setting up and publishing

competitive school sport league tables' (Conservative Party 2009a), and Extending Opportunities: A Conservative Policy Paper on Sport, which advocated placing 'competition at the forefront of school policy' (Conservative Party 2009b). Thus, initial coalition priorities involved the announcement of a nationwide Olympic and Paralympic style competition open to every child in the country (Hunt 2010a), but the cancellation of free swimming for the under 16's and over 60's (Hunt 2010b). Further, that the government 'will not continue to provide ring-fenced funding for school sport partnerships' and 'is lifting, immediately, the many requirements of the previous Government's PE and Sport Strategy, so giving schools the clarity and freedom to concentrate on competitive school sport' (Gove 2010).

It appears therefore that although both the Conservative Sports Manifesto and the Conservative Policy Paper on Sport advocated the importance of 'grassroots sport' they are clear, unlike their New Labour predecessors, that this should be primarily provided via: increased lottery funding, 'the new concentration on leveraging money from the private sector', and the London 2012 Olympics legacy. In addition, they emphasize that 'volunteers are key to the delivery of sport'. The Department for Culture Media and Sport Structural Reform Plan outlines five departmental priorities, three of which (1, 2, and 5) relate to the Conservative vision of a sporting infrastructure as follows:

1. 2012 Olympics and Paralympics (including delivery of 'a genuine and lasting legacy throughout the country')



2. Boost the Big Society (including increased lottery money for sport and ensuring 'only voluntary and community sector projects are funded and to prevent the funding of politicised projects')
5. Encourage Competitive Sport in Schools (including directing 'the Sport Lottery Distributor to take responsibility for the community sports legacy following London 2012')

(DCMS 2010a)

These appear, in relation to 'grassroots sport', to collapse primarily into one overarching priority, that is, to use lottery money to promote competitive sport in schools as part of the London 2012 Olympic Games legacy. There is no mention of local government funding of grassroots sport, mass participation or sport for all. This was confirmed in December 2010 with the publication of the coalition government's 'Plans for the legacy from the 2012 Olympic and Paralympic Games' which outlines the first of four areas of focus as 'harnessing the United Kingdom's passion for sport to increase grass roots participation, particularly by young people' and encouraging 'the whole population to be more physically active' (DCMS 2010c). This appears to relate to sport for some, and physical activity for others. The document also advocates 'bringing back a culture of competitive sport in schools' and claims that 'levels of competitive sport are not as high as they should be'. There is no mention of the previous government's 'promise' to get 2 million more active people by 2012. However, a House of Commons Briefing paper (Woodhouse 2010) steers firmly away from this promise and concludes by citing a 2007 report which concluded that 'no host country has yet been able to demonstrate a direct benefit from the Olympic Games in the form of a lasting increase in participation' (DCMS 2007).

The Secretary of State for Education had announced two months previously 'I want competitive sport to be at the centre of a truly rounded education that all schools offer' and that 'the Government is clear that at the heart of our ambition is a traditional belief that competitive sport, when taught well, brings out the best in everyone, be they the Olympian of tomorrow or the child who wants to keep fit and have fun learning new sports and games.' However, in December, he went much further, and detailed that the government plans to 'revise the PE curriculum ... to place a new emphasis on competitive sports' (Department for Education, 2010).

This policy direction away from local government provision is coherent with the Emergency Budget announcement (HM Treasury 2010a) which has been hailed as the biggest attack on the welfare state since its inception, fiscally regressive (Browne 2010), and a 'change in the way our country is run...from big government to big society' (Cameron July 2010a). However, the huge cuts in public spending signposted in this Budget and elaborated in the Spending Review in October 2010 (HM Treasury 2010b), and the further deregulation of schools and the lottery, are likely to impact significantly on the sporting infrastructure, and return sport to the realm of the exclusive, private and voluntary, rather than public sectors. This will impact on the advances in sporting equality, and hence mass participation and sport for all, made since the Wolfenden Report (Central Council for Physical Recreation 1960); and the realisation of the Olympic Charter's claim that the practice of sport is a human right. This will be via significantly reduced state funding for sport for social good (equality, social inclusion as opposed to social control); and diminished public space and access entitlements. Residual state funding, and lottery funding, is being refocused in two ways: via a strengthened emphasis on competition, talent

identification and elitism on the one hand; and via an individual responsibility to be active in order to reduce health spending and obesity as outlined in 'Healthy Lives Healthy People' (DH 2010), on the other. Thus sport, and sport policy, has been redefined initially by New Labour and now by the coalition, in a shift from sport for social good to competitive sport for sports sake.

### **The Purpose of Sport Policy**

Given this context it is timely to revisit the purpose of sport policy and critique the narrative which offers for UK sport policy only a binary opposition between 'sport for social good' and 'sport for sport's sake'.

### **'(Competitive) Sport for Sport's Sake'**

Philosophically, the 'sport for sports sake' claim can be considered a non sequitor at best and incoherent at worst, given that only living creatures, or sentient beings, or even just persons, can be considered to have interests, rights or sakes, not cultural practices such as sport. This evangelical mantra credits sport with an idealistic, unassailable, independent, natural and static existence; akin to Plato's ideal forms, an obvious good, mythopoeic (Coalter 2007), independent of time and space; and harks back to a narrative of empire, heritage, nostalgia, and tradition. It presents sport as autotelic and elevates it to the status of an ideal or embodied subject in its own right with people as subordinate objects of instrumental value to service the interests or 'sake' of sport. However, sport is a cultural practice which has a constructed, contested, historical, and dynamic existence. The relevant literature in

this area is vast and includes the fields of critical, cultural and feminist theory. For example, the Frankfurt School, and Adorno's critical theory, argue for a materialist rather than idealist 'art for art's sake' notion of art, music and culture (Adorno 2002), recognising the socially embedded nature of cultural practices which include sport.

At best, 'sport for sport's sake' claims to speak to the intrinsic value of 'sport', but then why define this narrowly as *competitive* sport? Sport can be considered to be an essentially contested concept, a discourse; inductively, empirically, plural (Eichberg 2009). The literature relating to alternative conceptions of the intrinsic value of sport is extensive and relates to movement literacy, movement intelligence (Gardner 1985), wellbeing, happiness (Layard 2005), joy, deep play (Kretchmar, 2005), flow (Csikszentmihalyi 1975), human capabilities (Sen 2009) and real hedonism. However, this sport would, instead of fetishising competition, be defined 'broadly and generically to refer to many movement activities', that is 'human movement with a focus on five of its intentional or purposeful forms: sport, dance, exercise, games, and play' (Kretchmar, 1994). Eichberg (2009) also argues for a more bottom up and plural definition of sport, and sees 'popular sport' as 'where people meet in festival dance and play' and as 'basically relational sport, the sport of togetherness.'

It has been extensively documented that women and girls are significantly less interested than men and boys in competitive team games (Mulvihill et al 2000) and yet Sport England's nine targeted sports to prevent 'drop off' (badminton, basketball, football, gymnastics, hockey, netball, rugby league, rugby union, and tennis) include seven competitive team games (SE 2010). Further, it is of interest and concern that

Sport England's Active People Survey 4 for 2009/10 reported that while the number of male sports participants has increased, (not significantly), to 4.176 million, (20.3%), there has been a statistically significant decline in participation among females from 2.787 million (13.1%) to 2.761 million (12.8%) (SE 2010). This indicates that sport participation may increase but become less representative and inclusive. It appears, therefore, that defining sport as 'competitive sport for sports sake' arguably this time around as a direct result of being awarded the London 2012 Olympic Games, may act to normalise and legitimise a partial movement culture, that of many boys and men, whilst positioning that of many women and girls as 'other' or primarily concerned with physical activity for health purposes.

Further, at worst, the dual rhetoric of 'sport for sport's sake' and 'competitive sport' have ideological work to do, so that competitive sport is conflated with movement culture, and traditional team games or Olympic sports with sport, in a ideological project of regressive public policy to normalise the notion of a 'big (pseudo) meritocratic (unequal) society' and a redistribution of common sporting wealth from females (and the poor) to males (and the rich). This traditional conservative policy approach is likely to result in increased sporting inequality with a (reduced) safety net provision for women (and the very poor), rather than develop towards the 2012 legacy aspiration to sport as a human right for all.

### **Sport for Social Good**

Conversely, 'sport for social good', at best, would also be defined as sport for well-being, happiness, joy, deep play, or real hedonism, crucially, *for all*, with echoes of

the iconic 'Sport for All' campaigns of the 1970's and the national demonstration projects of the 80's (Collins and Kay 2003). However, sport for social good as a policy justification in these new public management times, with an emphasis on centralised technocratic executive governance rather than devolved bottom up representative government (Grix 2009; Green 2009), runs the risk of descending into a reductionist instrumentalism, survivalism, rationalism and healthism within a hegemonic audit culture. This is exemplified by the outgoing Chief Medical Officer's suggestion (Donaldson 2010), that all children should be fitness tested in schools to help combat the 'obesity crisis' (incidentally, referred to in jest as the 'big society' by Boris Johnson, Mayor of London [Johnson 2010]). Once again, this argument runs the risk of over-interpretation, where people are subordinated objects used instrumentally for the greater good of the subject; this time society, policy, or government.

### **Sport for Peoples' Sakes/ Sport for All**

Sport, or movement culture, which should not be reduced to partial competitive sport, logically is not autotelic: that is, cannot be an end 'in its own right' or 'for its own sake' and nor should it be reduced to merely an instrument for social good. If it has value at all, it is far more important than either of these purposes to embodied persons, or what MacIntyre called 'dependent rational animals' (MacIntyre 1999). It is part of where we have come from, who we are, and how we become. Consequently, a third alternative is to focus on sport for peoples' (individuals, communities, and societies) sakes or sport for wellbeing, joy or happiness, that is, sport for all. This necessitates government by discussion, public reason, (Sen 2009);

participatory (meaning not just internal stakeholders), as opposed to bureaucratic, executive or market, democracy, (Devine 2009); and practical reason (MacIntyre 1999). To this end, sport policy would be concerned with a bottom up, plural, inductive, definition of sport; with the differential value of a range of movement/sport forms for developing human movement capabilities and flourishing; and with practical reason regarding the distribution of the individual, shared and common goods (MacIntyre 1999) which constitute movement and sport.

This view of sport policy is consistent with Coalter's claim that 'cultural shifts and increased pressure on time has led to a shift away from traditional, Olympic-type, sports to forms of activity which are flexible, individualistic and non-competitive (e.g. aerobic, hi-tech fitness, cycling, walking)' (Coalter 1999). Evidence for this is provided by the LGA which calculates that in 2008 7.92 million people were members of sports clubs and 10 million people played informal sport in council owned and community facilities (LGA 2010). Further, the Active People Survey 4 reports that 'since 2007/08, participation in athletics (including running and jogging) has grown by 263,400 to 1.876 million adults (4.5%)' and 'cycling has grown from 1.767 million adults (4.3%) in 2007/8 to 1.866 million adults (4.4%) in 2009/10, an increase of 99,200 participants'. This contrasts with a statistically significant decline in participation in the following sports: swimming, football, golf, tennis, bowls, rugby union, cricket, basketball, snowsport, hockey, weightlifting, sailing, rugby league, gymnastics, rowing, volleyball, rounders, and fencing (SE 2010).

Discussion of the value of movement activities has happened primarily within educational discourses and been concerned with physical literacy or even movement

intelligence. However, the value of movement in the current political and policy climate appears to be a hegemonic project around competition, talent spotting, elitism, masculinity and sport, on the one hand; and healthism, fitness and femininity, on the other. This has echoes of sport for the haves, leaders, subjects, men; and fitness or exercise for the have nots, followers, objects, women.

Of course, it could be argued that sport and movement are ontologically different. Nevertheless, either sport is broadly and inclusively defined as in the Council of Europe definition (COE 1992/2001), in which case it could be considered to be of fundamental value to human becoming, a human right as claimed by the IOC; or it is narrowly defined, and much harder to argue for its universal value: for its own sake, for social good, or for peoples' sakes.

### **Sport for Peoples' Sakes: Big Society and Citizenship Rights**

This paper will now focus on the London 2012 Olympic legacy in relation to sport as a human right and sport for all, that is, the right to sport for all, by drawing on the resurgence of interest in citizenship and civil society (the coalition's big society) both under New Labour from 1997-2010 and under the coalition government which came to power in 2010. To this end the concept of a 'big sporting society' will be situated within a discourse of citizenship rights; freedoms and entitlements; responsibilities and duties; and 'big democracy'. This enables an evaluation of the emergent coalition London 2012 legacy UK sports system regarding its 'fitness for purpose', with the purpose being the right to sport for all. Civil and political rights (e.g. freedom to move, ownership of sporting land/ property and sport democracy); social



economic and cultural rights (e.g. movement and sporting equalities); and collective rights (e.g. environmental, land, water, natural resources, development, movement); will all be considered.

## **Human and Citizenship Rights**

Citizenship rights were famously outlined by Marshall as an evolving process with three tiers of rights: civil, political and social (Marshall 1950). A division into three generations following 'liberte, egalite, fraternite' was initially proposed by Karel Vasak in 1979 at the International Institute of Human Rights in Strasbourg (Encyclopaedia Britannica 2010). Rights are now often conceptualised in these three generations (Gomes 2002) as outlined in **Figure 1**. First generation rights, for example those outlined in the International Covenant on Civil and Political Rights (ICCPR) (UN 1966) and the European Convention on Human Rights (ECHR) (COE 1950), are civil and political rights. They are centred around personal liberty and protecting individuals from undue interference or violation by the state, and are sometimes seen as negative rights. The International Covenant on Economic, Social and Cultural Rights, (ICESCR) (UN 1966) and the European Social Charter (ESC) (COE 1961/1999) outline a range of second generation rights, sometimes viewed as positive rights, concerned with entitlement from the state. These are social economic and cultural rights locating individuals within a social structure and relating to a more equal distribution of social economic and cultural goods services and opportunities.

Third generation rights are collective rights, sometimes called group or solidarity rights and they can be considered to be emerging rights. They locate individuals and

communities within a physical structure; and protect and entitle *peoples* from the state or states. Thus they can only be held in common by communities rather than exercised individually. Examples include the right to: a healthy environment, land, water, natural resources, *development* (interestingly for sport development), and ownership of the common heritage of humankind (Jones 2005). We can also draw on MacIntyre's (1999) conception of the difference between shared goods which might relate to second generation, and common goods which might relate to third generation, rights. Interestingly, article 1 of both the ICCPR and the ICESCR outlines the right of peoples to self-determination, and Jones (2005) points out that 'the use of the term peoples' signals that the right is ascribed to each people as a group rather than to individuals.' Thus this is a high profile example of a third generation right which must be held in common.

It is now widely argued that civil and political rights, and social economic and cultural rights, are indivisible. In the words of the ICCPR 'the ideal of free human beings enjoying civil and political freedom...can only be achieved if conditions are achieved whereby everyone may enjoy his civil and political rights as well as his economic, social and cultural rights'.

***Insert: Figure 1: Three Generations of Human Rights (UNDHR, ICCPR, ICESCR)***

### **Big Society Small State**

Drawing on the above discussion, 'big sporting democracy', it could be argued, is dependent on three generations of sporting rights and freedoms. Consequently, a 'big sporting society' based on 'big sporting democracy' and 'big sporting citizenship'

needs to address all three generations. However, the governments' conception of freedom or fairness appears to relate only to first generation civil rights, at the expense of second and third generation rights. Thus the coalition's 'big society' is a long way from US President Lyndon Johnson's notion of a 'great society', the basis of which was massive public expenditure, and which was encapsulated thus: 'the challenge of the next half century is whether we have the wisdom to use that wealth to enrich and elevate our national life, and to advance the quality of our (American) civilization' (Johnson 1964).

The Conservative Manifesto 2010 states that 'to protect our freedoms from State encroachment and encourage greater social responsibility, we will replace the Human Rights Act with a UK Bill of Rights' (Conservative Party 2010). However, the government has retreated from this renunciation of the first and second generation rights enshrined in the Human Rights Act and instead, announced in the Queens Speech on 25 May 2010, a Freedom (Great Repeal) Bill, (Prime Minister's Office 2010). This is designed to 'roll back the State, reducing the weight of government imposition on citizens that has increased in recent years through legislation and centralised programmes.' Proposed benefits include 'restoring freedoms and civil liberties' and 'providing for greater accountability of the State to citizens'.

Whilst refocusing on repealing violations of civil rights by the state is important and arguably overdue, if the resultant legislation prioritises first generation over, or at the expense of, second and third generation rights, as signalled by the big society, small state rhetoric, the consequences, unintended or otherwise, are likely to be freedoms for some rather than all, with the focus on limited and partial social provision in civil society and the voluntary sector. Weir (2006), even argues that social, economic and

cultural rights, rather than just civil liberties should be embedded in the UK's legal system in the form of a Bill of Rights, precisely because of the erosion of the welfare state which was the traditional vehicle for delivering equality.

Devolving social, cultural, and therefore sporting, provision solely or primarily to civil society and the voluntary sector, crucially *in a context of a maintained or increasing inequality*, is likely to result in the take up of opportunities primarily by those with the power and resources to do so, with a continued and extended disenfranchisement of the under-represented, who may not even be considered as stake holders. If we choose to learn historical lessons it is clear that local communities (including sporting communities) and the decision makers in them may be parochial, exclusive, undemocratic and privileged (MacIntyre 1999). Thus, a commitment to the end of bureaucratic accountability, may not rule out new managerialism, and may translate as deregulation, regressive fiscal policy, and a retreat from second generation, never mind third generation freedoms. The resultant so called democratic accountability (Cameron 2010a), it could be argued, relates to small or thin democracy and is merely rhetoric for the deregulated freedom of the market with opportunities to 'choose' and 'compete' distributed across an axis of differential power and resources.

Thus, although the language of the 'big society' may be that of the community and the citizen, the likely result within one of the most unequal 'developed' or rich societies, will be a hierarchical relationship of 'citizens', minimally defined, as individuals and consumers. Further, the extent to which new public management rather than the public sector is dismantled, remains to be seen. Arguably, real

democratic accountability relies on big democracy (three generations of rights), bottom up democratic planning, and the regulation of the market.

The seminal work of Wilkinson and Pickett (Wilkinson and Pickett 2009) draws attention to the statistically significant correlations between the degree of income inequality in rich countries and a range of economic, social and cultural indicators that relate to second generation rights and could be considered to be necessary conditions of a 'big society.' Thus, they show that 'across whole populations, rates of mental illness are five times higher in the most unequal compared to the least unequal societies' and that 'in more unequal societies people are five times as likely to be imprisoned, six times as likely to be clinically obese, and murder rates may be many times higher.' This shows that what is important is not just reducing poverty via a safety net provision for the 'socially excluded' because 'the effects of inequality are not confined just to the least well-off: instead they affect the vast majority of the population'. Thus it is inequality rather than poverty or exclusion that needs to be addressed by a 'big society.' Wilkinson and Pickett show that the US and UK, two of the most unequal rich countries, consistently fare worst on a range of social and cultural indicators, as demonstrated by **Figure 2** in relation to obesity in women. The Scandinavian countries and Japan, the most equal rich countries, consistently fare best. Despite the methodological criticisms that have been made, the overall picture remains unassailable. Any attempt to create a 'big sporting society', it appears, needs to adopt what Wilkinson and Pickett call 'evidence based politics'. Arguably, a revival or development of an inclusive representative civil society, or sport for all and mass participation, requires a context of relative equality, rather than relative inequality, in order to thrive. Further, universal benefits, goods and stake holding (not

limited to stakeholders internal to competitive sport) appear to be necessary components of a fully realised sporting citizenship.

***Insert: Figure 2: Evidence Based Politics? Obesity and Income Inequality: Pickett et al (2005) JECH***

### **Big Sporting Society: Three Generations of Rights**

#### ***Sport and human rights: a three generation rights model***

The right to sport, as asserted by the Olympic Charter; and the guidelines for sport for member states within Europe and the European Union, which are set out by the European Sports Charter (COE 1992/2001) and the European Commission White Paper on Sport (EC 2007) respectively; are not enshrined in law either nationally or internationally. However, there is an array of rights instruments that can be related to sport, that are. An emerging body of work in sport and human rights (for example, Kidd & Donnelly 2000, Donnelly & Petherick 2004, Brackenridge 2004, David 2005, Giulianotti & McArdle 2006) has primarily, although not exclusively (see Simpson 2005, Donnelly 2008, Coalter 2010, and Houlihan 2010), focused on sporting violations of negative freedoms, and protection issues. These are violations within sport of first generation rights, but generally not articles 13 and 12 of the UDHR and ICCPR respectively, relating to the freedom to move. Kidd and Donnelly's work, however, outlines a range of issues as detailed in **Figure 3**, across the rights generations.

***Insert: Figure 3: Universal Declaration of Human Rights & Sport: Kidd & Donnelly (2000)***

A big sporting society can be conceptualised as necessitating a sporting infrastructure which addresses 'big sporting democracy' by encompassing all three generations of rights as outlined in **Figure 4**. This enables a mapping exercise in relation to emerging sport policy and the London 2012 legacy and an evaluation of the emergent government big society/small state policy direction in relation to 'big sporting society', 'big sporting democracy' and the right to sport for all.

Interestingly, the three generation rights model for sport is coherent with Eichberg's project to develop 'a philosophy of sport for all' based around the 'demos' of democracy, and incorporating 'libertie, egalitie, and fraternitie' (Eichberg, 2009). As Eichberg points out 'commercial sport is a sport for those who can pay, and in this respect, a 'sport for not-all'. Whereas, sport for all, when adopted by civil society, involves 'other perspectives on sport for all than the strategies of governments or ministries.' Further, in many cases civil society, social movements, and sport for all, involve 'the principle of voluntary cooperation in more or less communitarian and non-competitive sports.' (Eichberg, 2009). Drawing on Eichberg's argument, It is not therefore clear that civil society would accept a top down, imposed definition of 'competitive sport for sports sake'. Defining sport in this way is not coherent with bottom up provision of sport in civil society: that is, the right to sport for all.

***Insert: Figure 4: London 2012 Olympic Legacy: Big Sporting Society?***

***First generation sporting rights***

First generation rights require protection for individuals from sporting violations of all articles comprising the legally binding ICCPR (and, in Europe, the ECHR). This involves some difficult issues for sport. For example, article 25 addresses the right to participate in the conduct of public affairs, vote, and be elected. However, the government intends 'light touch regulation at the heart of sport policy' (Conservative Party 2009a); that funding for sport will come from £50m to sport from a deregulated lottery (DCMS 2010b); that the (fiscally regressive) lottery is to deliver the community school legacy; and that 'the private sector has a key role to play in developing sport' (DCMS, 2010). Given that lottery funding is not government funding, and will be minimally regulated anyway, this may mean that sport is taken out of what constitutes 'public affairs' and is not considered to be subject to the representative democracy outlined in article 25. Further, the government's *very definition* of sport appears to be the partial 'competitive sport for sports sake' which encapsulates the sporting practices of a relatively small demographic. If article 25 relates only to sport policy community stakeholders defined this narrowly, the majority of the population, disproportionally women, will be further disenfranchised in relation to sport. This will work against the 2012 legacy aspiration of the right to sport for all.

First generation sporting rights also include protection from violations of an individual's freedom to move. However, this is subject to the caveat that it should not contravene other first generation rights, and crucial here is the right to property. The balance between these two rights plays out differently in different 'developed' or rich countries, for example the UK and Finland, and is dependent on the extent to which second generation rights are addressed. Consequently, second generation rights are crucial as they relate to how economic, social and cultural sporting resources; such



as facilities, clubs, land and water, are shared. First generation sporting rights without second generation rights may result in sport *management* of sport for not-all (those already playing, paddling, climbing and so on) and a stratified or terraced, as opposed to a level, playing field. This is a merit and desert conception of fairness, in an unequal sporting society, arising from a position of fairness as 'equal treatment' or even some conceptions of 'equal opportunity'. Further, it could be argued that in order to exercise the first generation right to move, we need a third generation 'freedom to move', a right held in common in relation to access to land and water, and urban and rural physical space.

### ***Second generation sporting rights***

Second generation rights, as outlined in the legally binding ICESCR (and in Europe, the ESC), require sport 'to take steps to the maximum of its available resources to achieve progressively the full realization of the rights in this treaty' (UN, 1966). Notwithstanding Girginov and Hills's assertion that 'sustainable (sport) development has ... been a much contested concept because it directly engages with justice and equality' (Girginov and Hills, 2009), in this case it can be argued that for sport this means sport *development* to work towards, not away from, the right to 'sport for all'. This is a needs and equality conception of fairness and justice, working towards a more 'equal outcome'. Once again, a 'big sporting society' will find some, if not all, of these rights challenging. For example, working towards article 3, equality between men and women would be much easier to address with a broad, inclusive definition of sport. Similarly, working towards article 7 (relating to just conditions of work, fair wages, equal pay for equal work, safe & healthy working conditions, rest & leisure),

and towards article 8 (the right to form & join trade unions & to strike) are immensely challenging for sport.

Particularly of concern in relation to second generation sporting rights is the policy direction 'from big government to big society' (Cameron 2010a), together with the policy choices relating to the reduction of the public financial deficit. Second generation sporting rights are particularly vulnerable to public sector spending cuts because the provision of sport is non statutory and sporting equalities are addressed primarily in the public sector, via, for example, sport development, as opposed to management, initiatives. In the first months in power, the coalition announced: the cancellation of free swimming for under-16's & over 60's resulting in a saving of £40m (Hunt, 2010b); the cancellation of the £55bn school building programme, of which it is estimated, 11% was to have been set aside for new sports facilities; £25m cuts to the swimming pool refurbishment programme; a freeze on the £235m Playbuilder Scheme to create 3 500 playgrounds (The Guardian, 2010a, 2010b, 2010c), and the ending the £162 million PE and Sports Strategy of the previous administration (Gove, 2010). Further, the 'average real terms budget cuts of 25% over four years - except for health and international aid' (BBC, 2010) apply to the £1.8bn sport spend of local authorities, and the total DCMS spend, and are of a different order to the relatively small increase in funding to sport from the deregulated lottery.

The cancellation of the free swimming initiative is an interesting indicator of the new policy direction. The previous New Labour administration argued that, 'swimming is the country's most popular sporting activity. The Government's free swimming

initiative is an important part of our plans to secure a long-term legacy from London hosting the 2012 Olympic and Paralympic Games - and to get two million people more active and more healthy' (DCMS Archive). However, the current government declared in July 2010 that, 'funding for free swims under the free swimming programme will end this summer, in the light of new research which shows that the scheme has not delivered value for money. Figures published today show that the majority of those participating in the scheme would have gone swimming anyway, even if they had to pay, and that the scheme has not significantly increased physical activity' (Woodhouse & Fielden 2010). However, Woodhouse and Fielden report that between 1 July and 30 September 2009 4 million under 16's and 1.9 million over 60's used the scheme. Further, that in the first year of the scheme there had been 18 million free swims, which, assuming the same split, equates to around 12 million under 16, and 6 million over 60's, swims. They also report that 73% of under 16's and 83% of over 60's swimmers would have gone swimming anyway, therefore, this means that 27% of under 16, that is 3.24 million and 17% of over 60, that is 1.02 million, swims, were new swims. This could be considered a startling success and raises the issue of the place of universal benefits, the strengths of which relate to an inclusive vision of citizenship and big society. Conversely, the weaknesses of such benefits are that they can appear unfair particularly in societies with steep socioeconomic gradients.

The wisdom of monetarists is disputed by Keynesians such as Lord Skidelsky, who asserts 'I must remain sceptical about the newly fashionable doctrine of expansionary fiscal contraction, as it is known; the idea that if you contract the budget deficit, the economy will expand' (Skidelsky 2010). Even amongst those who support contraction, the mandate for the scale and speed of the cuts is questioned,

but given this policy decision, there is no reason why sport should be protected. However, given that rights structure relations of equality 'not only between citizens and state but also between citizens' (Nedelsky 2008), the 'we are all in this together' (Cameron, 2010b) philosophy is dependent on conditions of relative equality. Consequently, second generation rights should be protected even in times of austerity. In terms of sport this might mean that local authority sport and physical activity *development* teams should be protected and prioritised over the *management* of local authority sporting facilities which in any case disproportionately service the needs of the already included (Collins and Kay, 2003). However, a more equal society and universal benefits could be argued to be preferable in relation to a cohesive big sporting society, big sporting democracy and the right to sport for all.

### ***Third generation sporting rights***

Finally, although third generation rights are less well established than first and second, and are not systematically incorporated in a legally binding instrument, it can be argued that the right to move (a first generation right) is dependent on a third generation freedom to move. Thus, a 'big sporting society' needs a third generation 'right to move' which is a right held in common in relation to access to land and water, and urban and rural physical space. This would involve not just some delimited socially controlled 'level playing fields', but much greater access to physical space: urban and rural, water and land.

However, for a 'developed' or rich country, the UK has relatively modest third generation movement rights as compared with, for example, the Scandinavian

countries, which have an extensive 'right to roam' known as 'everyman's right' (Finnish Ministry of the Environment, 2007). Further, The Open Spaces Society claims that 'local authorities are cutting budgets for public rights of way and open spaces, which they see as expendable' (Ashbrook, 2010) and it has been reported that the Department for Environment Food and Rural Affairs (DEFRA) is considering 'plans to sell off nature reserves, rivers, forests' with the 'fears (that) huge cuts to (the) environment department risk (an) "austerity countryside" ' and that the ' "crown jewels" of Britain's landscape could be sold off' (The Guardian, 2010d, e). Also, there has been steady privatisation of urban public space so that significant chunks are, in fact, privately owned. As Judt details ' "Stratford City", in east London' covering 170 acres, ' "Cabot Circus" in Bristol, "Highcross" in Leicester, "Liverpool One" (which spans 34 streets and is owned by Grosvenor, the Duke of Westminster's property company) are all privately-owned and privately-controlled spaces at the heart of what were once public municipalities'. Further, 'they reserve the right to impose a range of restriction (such as) no skateboarding, no rollerblading' (Judt 2010). There is much talk of rising obesity levels, a sedentary population and 'factory farmed' as opposed to 'free range' children. However, the usual culprits are considered to be 'stranger danger' which has not increased since 1985 (Home Office, 2002), and traffic, which has. There has been much less discussion of the commodification of movement, sport, and physical space; and the resultant limited access or freedom to move in both rural and urban space enjoyed by the UK population relative to other 'developed' countries.

## **Conclusion: London 2012 Olympic Legacy: A Right to Sport for All?**

Although the IOC outlines the right to sport ...for all, and the government has a legacy aim of 'harnessing the United Kingdom's passion for sport to increase grass roots participation, particularly by young people' and encouraging 'the whole population to be more physically active', current sport policy is in danger of working away from these objectives. Thus the hegemonic definition of sport as competitive sport for sport's sake excludes a richer, fuller, inductive and inclusive right to sport for all.

The government's emergent sport policy appears, at best, to address only first generation rights, that is, individual rights for some, given the competitive sport for sport's sake parameter and internal stakeholders, and the actual and proposed regression in second and third generation rights. It advocates sport for some, the already privileged and/or male, sport for not-all. Thus sport policy becomes about sport (*new, or new public*) *management* or sport development *for some*, rather than 'sport for all' or sport *development* for all, which is about extending the sporting franchise beyond the players and stake holders already within the boundaries of sporting communities, defined by the current government as competitive sport for sport's sake. As Bourdieu has pointed out 'the field of sporting practice is the site of struggles in which what is at stake, inter alia, is the monopolistic capacity to impose the legitimate definition of sporting practice' (Bourdieu 1978).

Participatory democracy (Devine, 2009) or democracy via public discussion (Sen, 2009) necessitates bottom up big democracy and democratic planning rather than New Labours new managerialism or 'executive democracy' (Devine, 2009). The coalition's project to dismantle bureaucratic democracy does not appear to involve

the corollary of extending big democracy, but rather, consists of increased deregulation, and a neoliberal agenda with the ideological project of protecting and extending (sporting) privilege.

Consequently, the London 2012 Olympic legacy is likely to be an individual *entitlement* to sport for the haves and an individual *duty* to exercise with diminished *entitlement* to physical space for the have nots. It can be encapsulated as:

1. driving & legitimising a shift in the purpose of sport policy from sport for social good to competitive sport for sports sake,
2. driving & legitimising a bifurcation between 'sport' narrowly defined and 'physical activity' as exercise for health,
3. defining stake holders as internal to narrowly defined competitive sport and thus disenfranchising further under-represented groups, notably women,
4. retreating from second generation never mind third generation rights to sport for all, and
5. shifting the responsibility for the sporting infrastructure from LA's to the voluntary & private sectors, with a resultant decreased investment in both hard and soft sporting infrastructure.

Finally, it would be useful to develop further the concepts of 'big sporting democracy' and a 'big sporting society'. This could be done by developing a democratic audit or assessment tool addressing all three generations of human rights in relation to the

sporting landscape. Democratic Audit, an independent research organisation, now hosted by the University of Liverpool, has developed an assessment methodology 'based on the two basic principles of representative democracy - *popular control and political equality*' and states that 'a democratic audit is a comprehensive and systematic assessment of a country's political life in order to answer the question: how democratic is it and how well are human rights protected?' (Democratic Audit 2010). An assessment tool relating to the sport policy community and sporting institutions would be a useful way of extending a democratic audit around three generations of movement rights to evaluate further whether or not emerging UK sport policy is 'fit for purpose' in relation to a London 2012 Olympic legacy aspiration of the right to sport ...for all.

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